

Certification Process for Stage I and II Vapor Recovery Equipment by a Third Party February 7, 2013

The purpose of this document is to clarify the types of approvals and/or testing required for certifying vapor recovery equipment by a third party for use in Arizona. Approval of vapor recovery equipment certified by a third party is authorized under Arizona Revised Statute (ARS), §41-2132(A), which states (bold added):

*“A person shall not offer for sale, sell, install or use a new gasoline vapor recovery system, or any new or rebuilt component parts of the system, unless the system or component part has been certified by the California air resources board as of March 31, 2001 or after that date, **or has been approved by a third party accredited to test equipment and recognized by industry and the department**, and has not been rejected by the department. The department shall maintain and keep current a list of stage I and stage II vapor recovery systems and component parts that are approved by the department. Only those systems that are approved shall be used in this state. All certified vapor recovery components must be clearly identified by a permanent identification affixed by the certified manufacturer or rebuilder.”*

The Arizona Department of Weights and Measures (the Department), considers the following options for testing or approval of Stage I and Stage II vapor recovery equipment or components to meet the intent of ARS §41-2132(A):

1. The applicant must submit the test results and/or engineering evaluation and approval certification from one of the following independent third parties accredited to test equipment:
 - A. An evaluation stamped by a professional registered engineer; or
 - B. If the equipment evaluation will be performed by a company qualified to perform the analysis but will not be stamped by a registered professional engineer, the person performing the evaluation shall have a minimum of ten years documented experience in testing and certification of vapor recovery equipment; or
 - C. For equipment that is certified by a recognized state agency other than CARB, the applicant shall submit the engineering analysis and/or testing information along with the documentation demonstrating approval by the state agency.

In each case, the evaluation shall describe the equipment or components to be approved and the applicable existing CARB executive order for which the equipment is approved for use and the qualifications of the person performing the evaluation. If the equipment requires a new test protocol because there is not a current test protocol included in the CARB executive order or it differs from the applicable CARB executive order, the testing protocol shall be submitted with the evaluation.

2. The Department will review the submittal and, if approved, will issue an approval letter describing the equipment and the existing CARB Executive Order for which the equipment is approved for use.
3. The Department will maintain a list of approved equipment and components.
4. These certification procedures do not modify any other requirements pertaining to Stage I and Stage II and the department continues to have the ability to reject certified equipment that is found to not operate as intended following installation at fueling facilities.